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October 24, 2016

Honorable Katherine B. Forrest
United States District Court
Southern District of New York
500 Pearl Street, Room 2230
New York, NY 10007

Re: Airbnb v. Schneiderman, et al, 16 cv 8239 (KBF)

Dear Judge Forrest:

I am an Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, attorney for defendants the City of New York and Bill De Blasio, Mayor of the City of New York, in the above-referenced matter. Earlier this afternoon attorneys for co-defendant Eric Schneiderman sent your Honor a letter and stipulation regarding plaintiff Airbnb's application for a temporary restraining order seeking to enjoin all defendants from enforcing as against plaintiff New York Multiple Dwelling Law § 121 and New York City Administrative Code § 27-287.1 (collectively, the "Act") pending a decision by the Court on plaintiff's application for a preliminary injunction. In that submission defendant Schneiderman represented that he has no intention of enforcing the Act during the pendency of plaintiff's application for a preliminary injunction. In light of that representation, the City of New York and Mayor De Blasio likewise agree not to enforce the Act as against plaintiff, including retroactively from the effective date of the Act, pending a decision on plaintiff's application for a preliminary injunction (excluding any motions for reconsideration or reargument). The City of New York will, however, continue to take any procedural and administrative steps necessary to be in a position to begin to take enforcement action as soon as the Court renders a decision on plaintiff's preliminary injunction motion. As a result, the City of New York will not be submitting papers opposing plaintiff's motion for a temporary restraining order.

Respectfully,

Melanie V. Sadok
Assistant Corporation Counsel